

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JERRY L. SMITH,

Case No. C13-1813-RSL

Petitioner,

## ORDER OF DISMISSAL

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PAT GLEBE,

## Respondent.

The Court, after careful consideration of petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, the governing authorities and the balance of the record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) The habeas petition is DENIED and this case is DISMISSED with prejudice.

(3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the

United States District Courts, a certificate of appealability is DENIED with respect to the grounds asserted by petitioner in his habeas petition.

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ORDER OF DISMISSAL.

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1 (4) The Clerk is directed to send copies of this Order to petitioner, counsel for  
2 respondent and Judge Donohue.

3 DATED this 29<sup>th</sup> day of April, 2014.

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6 Robert S. Lasnik  
7 United States District Judge  
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